

ASSEMBLY BILL

No. 425

Introduced by Assembly Member Negrete McLeod

February 15, 2005

An act to add Section 22444.5 to the Business and Professions Code, relating to immigration consultants.

LEGISLATIVE COUNSEL'S DIGEST

AB 425, as introduced, Negrete McLeod. Immigration consultants.

Under existing law, the Department of Consumer Affairs regulates persons engaged in the business or acting in the capacity of an immigration consultant. A violation of these provisions is a crime.

This bill would make it unlawful for a person engaged in the business or acting in the capacity of an immigration consultant to engage in frivolous behavior, as defined. Because a violation of the bill would be a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 22444.5 is added to the Business and
- 2 Professions Code, to read:

1 22444.5. It is unlawful for any person engaged in the business
2 or acting in the capacity of an immigration consultant to engage
3 in frivolous behavior, as defined in paragraph (1) of subsection
4 (j) of Section 1003.102 of Title 8 of the Code of Federal
5 Regulations.

6 SEC. 2. No reimbursement is required by this act pursuant to
7 Section 6 of Article XIII B of the California Constitution because
8 the only costs that may be incurred by a local agency or school
9 district will be incurred because this act creates a new crime or
10 infraction, eliminates a crime or infraction, or changes the
11 penalty for a crime or infraction, within the meaning of Section
12 17556 of the Government Code, or changes the definition of a
13 crime within the meaning of Section 6 of Article XIII B of the
14 California Constitution.